

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**OF THE CITY OF EASTVALE**  
**Wednesday September 25, 2013**  
**6:30 P.M.**

**Rosa Parks Elementary School, 13830 Whispering Hills Drive**

1. **CALL TO ORDER:** 6:30 p.m.

2. **ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:**

Council Members present – Council Members Welch, Howell, DeGrandpre, and Mayor Bootsma.

Council Members absent - Mayor Pro Tem Rush

Council Member Rush arrived at 6:32 p.m.

Invocation was led by Pastor Ed Moreno with New Day Church.

Board Member DeGrandpre led the Pledge of Allegiance.

Staff present – City Manager Jacobs, City Attorney Cavanaugh, Public Information Officer Nissen, City Engineer Alvarez, Planning Director Norris, Deputy Finance Director Gitmed, Deputy Finance Director Montoya, Chief Building Official Steenson, Police Captain Feltenberger, Fire Battalion Chief Williams and Assistant City Clerk Hall.

3. **PRESENTATIONS/ANNOUNCEMENTS:**

3.1 City Manager Jacobs introduced Jackie Williams, Fire Battalion Chief with CalFire, stating that she would be the new Fire Chief for Eastvale.

4. **PUBLIC COMMENT/CITIZEN PARTICIPATION:**

Michael Armijo, with the Eastvale News, announced the upcoming Chamber events and displayed the shopping guide that was created.

There was discussion regarding the dispersement of the shopping guide to residents.

Jennifer Madrigal, with the Eastvale Community News, reported that the paper would be going to print on Friday and would be sent out next week. She also announced the winners of their “Best of” contest.

Dickie Simmons, a resident of Eastvale, reminded everyone of the Town Hall Meeting on Tuesday, October 29<sup>th</sup>.

**5. CONSENT CALENDAR:**

**5.1 Minutes – September 11, 2013 Regular Meeting.**

Recommendation: Approve the minutes from the Regular Meeting held on September 11, 2013.

**5.2 Changes To The Rules Governing Temporary Events.**

Recommendation: Hold second reading and adopt Ordinance No. 2013-14, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE MAKING FINDINGS AND ADOPTING AN AMENDMENT TO THE EASTVALE ZONING CODE FOR REGULATING TEMPORARY EVENTS.

**5.3 Statement of Revenue and Expense (Unaudited) – April through June 2013.**

Recommendation: Receive and file.

**5.4 Statement of Revenue and Expense (Unaudited) – July 2013.**

Recommendation: Receive and file.

**5.5 Statement of Revenue and Expense (Unaudited) – August 2013.**

Recommendation: Receive and file.

**5.6 Treasurer’s Report – Quarter ended June 30, 2013.**

Recommendation: Receive and file.

**5.7 Warrant Register.**

Recommendation: Approve the payment of Warrants (check numbers 11614 through 11658, wire numbers W00127 to W00149, less the City Council register in the amount of \$1,040.00, for a total amount of \$1,417,036.63 and payroll in the amount of \$55,450.31 (paid 08/30 and 09/13)).

**5.8 Warrant Register for Council Related Items.**

Recommendation: Approve the payment of Warrants (check numbers 11619, 11620, 11632 and 11633, in the amount of \$1,040.00).

**Motion: Moved by DeGrandpre, seconded by Rush to approve the Consent Calendar as presented.**

**Motion carried 5-0.**

6. **PUBLIC HEARINGS:**

6.1 **Public Hearing and Resolution Establishing New Fees for Various City Services and Receiving the User Fee Study Findings Report.**

Recommendation: 1) Continue the Public Hearing on consideration of Resolution No. 13-26, establishing new fees for various City Services, 2) Receive User Fee Study Findings Report and take public testimony, 3) Consider adoption of a Cost Recovery Policy and establish subsidies for certain fees, and 4) Adopt Resolution No. 13-26, establishing and adopting certain City fees for various City Services.

City Manager Jacobs provided a brief PowerPoint presentation and reviewed the cost absorbed by City if the fees would be waived for Special Event Permits.

There was discussion regarding the cost of Temporary Event Permits.

City Manager Jacobs continued with the PowerPoint presentation and provided examples of new fees and the General Fund revenue they would provide.

There was discussion regarding temporary events subsidies for non-profit events.

There was discussion regarding waiving fees for all non-profits versus smaller non-profits that put on community events that did not contain any fundraising.

There was discussion regarding potential processes for granting fee waivers and the issues that may arise with granting waivers.

Council Member Howell recommended moving forward with the fee study.

The Public Hearing was opened at 7:01 p.m.

Nathan Miller, with the Building Industry Association (BIA), stated that he appreciated the relationship that the BIA experienced with the City Council and Staff. He thanked them for the extra time to review the study. He reported that the BIA had come to an agreement and were in support of the fee study.

Lea Peterson, a representative with Southern California Gas stated that she met with Staff and appreciated the support and cooperation she experienced. She added that Southern California Gas supported the fee study.

The Public Hearing closed at 7:04 p.m.

**Motion: Moved by Howell, seconded by Rush to approve the user fee study and direct staff to return to the City Council with a Subsidy Policy.**

**Motion carried 5-0.**

7. **OLD BUSINESS ITEMS:**

7.1 **Business Registration Certification Program.**

Recommendation: Hold first reading of Ordinance No. 2013-12, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING CHAPTER 6.72 IN ITS ENTIRETY TO THE EASTVALE MUNICIPAL CODE ESTABLISHING A BUSINESS REGISTRATION CERTIFICATION PROGRAM.

City Attorney Cavanaugh provided the staff report for this item. He also provided an overview of the changes that were made after the August 24<sup>th</sup> meeting.

There was discussion regarding the registration requirements for mobile businesses.

There was discussion regarding registration requirements for businesses taking part in temporary events.

There was discussion regarding registration requirements for business in the City that have multiple locations and the regulations for property managers and rental property owners.

There was clarification regarding the billing and tracking of registrations and their renewals. There was discussion regarding Staff's ability to use the registrations and updates to track the rental properties in the City.

There was discussion regarding the City's reasoning behind allowing property managers and rental property owners to register once, while businesses with multiple locations were required to register for each location.

**Motion: Moved by Rush, seconded by Welch to approve staff's recommendation.**

**Motion carried 5-0.**

7.2 **Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program.**

Recommendation: Hold first reading of Ordinance No. 2013-13, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADDING CHAPTER 110.32 TO TITLE 110 OF THE EASTVALE MUNICIPAL CODE ESTABLISHING A SINGLE-FAMILY RESIDENTIAL RENTAL REGISTRATION, INSPECTION AND CRIME-FREE RENTAL HOUSING PROGRAM.

City Attorney Cavanaugh provided the staff report for this item.

Mayor Pro Tem Rush stepped away from dais at 7:26 p.m.

Mayor Pro Tem Rush returned to dais at 7:28 p.m.

City Attorney Cavanaugh stated that he met with realtors on September 4<sup>th</sup> and they requested a few changes, which he discussed.

There was discussion regarding the legality of the ordinance and if it conforms to state laws. City Attorney Cavanaugh reported that he did research the issue and confirmed that the ordinance is legal and abides by all laws. He added that other cities have adopted similar, or more stringent, programs.

There was discussion regarding the process that would be used for the home inspections and the related fees.

There was discussion regarding the reasoning for having rental homes regulated while owner occupied homes were not.

There was clarification regarding the process that would occur if a tenant refused entry for the inspection.

There was discussion regarding the number of rental homes that had been investigated and raided for marijuana growing operations. Captain Feltenberger indicated that the police department would find the ordinance helpful in creating another avenue to pursue the illegal operations.

There was discussion regarding the marijuana grow operation issues in the City, and the safety issues that the homes present.

There was discussion regarding how the ordinance would help solve the issue with illegal operations and how it will be implemented fairly.

There was additional information provided regarding the results of similar programs in other cities.

Ron Creighton, an Eastvale resident, stated that he was opposed to the ordinance even though he thought the intentions of the Council were good and added that individual rights needed to be protected.

Gretchen Hausman, an Eastvale resident, reported that she has numerous rental properties in her neighborhood and three of those properties have been part of criminal activities. She felt that the landlords of the properties were not checking on their tenants. She added that the damage the tenants were doing to the homes dropped the home values in the area. She thanked the Council for taking a step forward and encouraged others to support the ordinance.

Larry Kleasner, with The Inland Gateway Association of Realtors, stated that the Board of his association opposed the ordinance. He stated that the Board appreciated that City staff worked with them, but the Board supported property rights of individuals and opposed the ordinance due to the inclusion of interior inspections.

There was discussion regarding alternative solutions to the crime problems the City was experiencing in rental homes.

Dickie Simmons, representing the Law Enforcement And Fire Fighters Association, stated that several hundred residents in law enforcement were part of the LEAFF organization and felt that the ordinance was important to provide public safety and encouraged the pro-active approach of the ordinance.

Art Organista, an Eastvale resident and LEAFF member, stated that as a fire fighter he has responded to fires in rental homes that were dangerous situations that put fire crews at risk. He cited not only illegal marijuana grow operations, but illegal wiring and unpermitted building. He supported the ordinance.

Andrea Hove, an Eastvale resident and realtor, stated that she was a local realtor and in favor of the ordinance. She indicated that she did not want the City to have a bad reputation, and that she felt the owners and property managers of many rental properties were not doing their job.

There was discussion regarding the similarities between the ordinance and typical multi-family housing lease agreements.

There was discussion regarding the process of the inspections that would take place.

There was discussion regarding the issues that the City was finding when owners were not active in managing their properties.

There was discussion regarding the self-certification provision in the program and the inspection process.

There was also discussion regarding the purpose of the program, the process when inspections are denied and Staff was asked to bring back a report to the City Council on the outcome and effect of the ordinance if it was approved.

**Motion: Moved by Rush, seconded by Howell to hold the first reading of the ordinance and direct staff to return to the City Council with a report on its effects 6 months from the date the ordinance would take effect.**

**Motion carried 4-0-1 with DeGrandpre voting no.**

8. **NEW BUSINESS ITEMS:**

8.1 **Healthy Eastvale Month and Resolution.**

Recommendation: 1) Adopt Resolution No. 13-28, entitled:  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE,  
CALIFORNIA, SETTING FOR THE CITY OF EASTVALE'S COMMITMENT  
TO HEALTHY LIVING

2) Designate October as Healthy Eastvale Month.

City Manager Jacobs provided the staff report for this item.

Mayor Pro Tem Rush reported that he attended the State of the County event and spoke with a Public Health Representative from the County and the City Manager to pursue having an intern come into the City to coordinate with staff and outside entities to plan healthy programs and receive grant funding for them.

Council Member Welch stated that the City's Strategic Plan outlined many of those types of goals and asked that the intern help implement existing goals instead of creating new ones.

**Motion: Moved by Howell, seconded by Rush to adopt Resolution 13-28 and designate October as Healthy Eastvale Month.**

**Motion carried 5-0.**

Council Member Welch stepped away from dais at 8:29 p.m.

8.2 **Social Media Update.**

Recommendation: Receive and file.

City Manager Jacobs provided the staff report for this item.

There was discussion regarding marketing the City's page as the official page to differentiate it from existing users and possibly using a watermark on official City photos.

Council Member Howell stepped away from dais at 8:32 p.m.

Council Member Welch returned to dais at 8:33 p.m.

8.3 **Use of City Seal and Logo by the Eastvale Community Foundation.**

Recommendation: Approve the use of the City Seal and Logo for the Eastvale Community Foundation to support fundraising efforts.

City Manager Jacobs provided the staff report for the item.

Council Member Howell returned to dais at 8:35 p.m.

**Motion: Moved by Welch, seconded by Rush to allow the use of the City Seal/Logo as currently designed.**

**Motion carried 5-0.**

**8.4 Solid Waste Collection and Disposal Ordinance.**

Recommendation: Hold first reading of Ordinance No. 2013-15, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ENACTING CHAPTER 16.05 OF TITLE 16 OF THE CITY OF EASTVALE MUNICIPAL CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.

City Attorney Cavanaugh provided the staff report for this item and reviewed the changes.

Council Member DeGrandpre stepped away from dais at 8:38 p.m.

**Motion: Moved by Welch, seconded by Howell to approve the item as presented.**

**Motion carried 4-0-1 with DeGrandpre absent.**

Council Member DeGrandpre returned to dais at 8:40 p.m.

**8.5 Renewal of Animal Services Contract with the County of Riverside in the amount of \$260,912.**

Recommendation: 1) Approve budget adjustment to reflect change in revenue and service levels with the County of Riverside Animal Field and Shelter Services in the amount of \$260,912.

City Manager Jacobs provided the staff report for this item.

**Motion: Moved by DeGrandpre, seconded by Rush to approve the item as presented.**

**Motion carried 5-0.**



**8.6 Purchase of Manual Monitor/Defibrillator and associated equipment for paramedic unit in the amount of \$29,492.18.**

Recommendation: Approve the purchase of the monitor/defibrillator from Zoll Medical Corporation in the Amount of \$29,492.18.

City Manager Jacobs provided the staff report for this item.

Fire Battalion Chief Williams discussed staffing and equipment.

**Motion: Moved by Welch, seconded by DeGrandpre to approve the item as presented.**

**Motion carried 5-0.**

**8.7 Joint Community Facilities Agreement between Jurupa Community Services District and the City of Eastvale (Community Facilities District No. 44) and Joint Community Facilities District Implementing Agreement.**

Recommendation: Approve Joint Community Facilities Agreements.

Council Member Welch recused himself from the dais at 8:44 p.m.

City Manager Jacobs provided the staff report for this item.

Mayor Pro Tem Rush requested that Staff include a map of the proposed district in the staff reports for future items.

**Motion: Moved by Rush, seconded by Howell to approve the item as presented.**

**Motion carried 4-0-1 with Welch abstaining.**

Council Member Welch returned to the dais at 8:46 p.m.

**8.8 Eastvale Community Foundation Addition of Board Members.**

Recommendation: Appoint Rania Hamdy, Alicia Jensen and Anu Saini to the Board of Directors.

City Manager Jacobs provided the staff report for this item.

There was discussion on how these individuals came to be appointed.

**Motion: Moved by DeGrandpre, seconded by Rush to approve the recommended Board Members.**

**Motion carried 5-0.**

**9. COUNCIL COMMUNICATIONS:**

Mayor Pro Tem Rush reported that he attended the State of the County address.

Council Member DeGrandpre also reported that he attended the State of the County address, as well as the League of California Cities meeting the previous week. He added that he attended a Vector Control meeting and provided information received at that meeting.

Council Member Welch reported that he attended the League of California Cities meeting as well and reminded everyone of the upcoming Fall Festival.

Mayor Bootsma reported that he had attended an awards ceremony that morning, as well as attended the State of the County. He would be attending the Clean Air Coalition meeting and various community events in the near future.

**10. CITY MANAGER'S REPORT:**

There was no City Manager's Report.

**11. CLOSED SESSION:**

The City Council adjourned to Closed Session at 8:51 p.m.

**11.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO SECTION 54957:**

Title: City Attorney

The City Council returned from Closed Session at 9:05 p.m. with no reportable action.

**12. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:05 p.m.